

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GARY D. CAVAN,

Plaintiff,

Civil No. 04-1372-AA

v.

ORDER

MAX WILLIAMS, et al.,

Defendants.

AIKEN, District Judge.

Defendants filed a Motion for Summary Judgment (#34) on December 15, 2005. Plaintiff, who has been advised of the federal summary judgment standard, did not reply. On February 8, 2006, plaintiff was allowed 14 days to show cause in writing why defendants' unopposed Motion for Summary Judgment (#34) should not be allowed. Plaintiff was advised that failure to show cause as ordered by the court would result in the dismissal of this action for failure to prosecute.

Plaintiff has not responded to the courts order.

Defendants' unopposed Motion for Summary Judgment and exhibits establish that there are no genuine issues of material fact remaining in this case and that defendants are entitled to judgment as a matter of law. Defendants Motion for Summary Judgment (#34) is allowed. This action is dismissed with prejudice.

IT IS SO ORDERED

DATED this 1 day of ^{March}~~February~~, 2006.

/s/ Ann Aiken
Ann Aiken
United States District Judge